



PATENT
ATTORNEY DOCKET NO. MBM1410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ostler et al. Art Unit: 3732
Serial No.: 09/801,351 Examiner: Wilson, John J
Filing Date: March 7, 2001 Conf. No.: 4906
Title: LIGHT EMITTING DIODE LIGHT SOURCE FOR CURING DENTAL COMPOSITES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 21 2004

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF AN APPLICATION ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Sir:

Responsive to the Notice of Abandonment mailed July 15, 2003, Applicants hereby petition for revival of the above-identified application under the provisions of 37 CFR § 1.137(b) on the grounds that the failure to timely file a reply to the Office Action mailed October 10, 2002 was unintentional.

The above identified application became abandoned for Applicants' alleged failure to timely file a reply to the Office Action dated October 10, 2002. The entire delay in filing the required reply of the present grantable petition pursuant to 37 CFR § 1.137(b) was unintentional, as detailed in the accompanying Statement, and Applicants were diligent in filing the present petition.

05/20/2004 ANDRDF1 00000025 09801351

01 7085452

665.00 C7

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 17, 2004, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen LePari

Karen LePari

In re Application of:
Ostler et al.
U.S. Serial No. 09/801,351
Filed: March 7, 2001
Page 2

PATENT
Attorney Docket No.: MBM1410

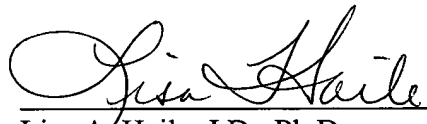
Submitted herewith, as required by 37 CFR § 1.137(b), are the following:

1. The required reply, Response to the Final Office Action dated October 10, 2002.
2. Check No. 559600 for \$665.00; and
3. A Statement that the entire delay in filing the required reply, from the due date to the filing of a grantable petition pursuant to 37 CFR § 1.137(b), was unintentional.

Applicants respectfully petition for revival of the above-identified application. Check No. 559600 is enclosed in the amount of \$665.00 as the filing fee to revive this unintentionally abandoned patent application. No additional fees are deemed necessary. However, the Commissioner is hereby authorized to charge any fees, or make any credits, to Deposit Account No. 50-1355. If the Examiner would like to discuss any of the issues raised herein, Applicant's representative can be reached at (858) 677-1456.

Respectfully submitted,

Dated: May 17, 2004



Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
USPTO Customer Number 28213



PATENT
ATTORNEY DOCKET NO. MBM1410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ostler et al. Art Unit: 3732
Serial No.: 09/801,351 Examiner: Wilson, John J
Filing Date: March 7, 2001 Conf. No.: 4906
Title: LIGHT EMITTING DIODE LIGHT SOURCE FOR CURING DENTAL
COMPOSITES

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

MAY 21 2004

OFFICE OF PETITIONS

**STATEMENT ACCOMPANYING PETITION UNDER 37 C.F.R. § 1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED PATENT APPLICATION**

Sir:

Responsive to the Notice of Abandonment mailed July 15, 2003, this statement accompanies a petition for revival of the above-identified application under the provisions of 37 CFR § 1.137(b) on the grounds that the failure to timely file a reply to the Office Action mailed October 10, 2002 was an unintentional error.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 17, 2004, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen LePari

Karen LePari

In re Application of:

Ostler et al.

U.S. Serial No. 09/801,351

Filed: March 7, 2001

Page 2

PATENT

Attorney Docket No.: MBM1410

It is submitted that the entire delay in filing the required reply until the filing of the accompanying grantable petition pursuant to 37 CFR § 1.137(b) was unintentional, and that Applicants were diligent in filing the current petition.

Check No. 559600 is enclosed in the amount of \$665.00 as the filing fee to revive an unintentionally abandoned patent application. No additional fees are deemed necessary. However, the Commissioner is hereby authorized to charge any fees, or make any credits, to Deposit Account No. 50-1355. If the Examiner would like to discuss any of the issues raised herein, Applicant's representative can be reached at (858) 677-1456.

Respectfully submitted,

Dated: May 17, 2004



Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP

4365 Executive Drive, Suite 1100

San Diego, CA 92121-2133

USPTO Customer Number 28213